

F&amp;B (10-06) SB/20 (07-06)

TERMINAL DISCLAIMER TO OBLVIA TE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENTDocket Number (Optional)  
55508 - 296809

In re Application of: Carl A. CASPERS

Application No. 10/808,982

Filed: March 25, 2004

For: VACUUM APPARATUS AND METHOD FOR MANAGING RESIDUAL LIMB VOLUME IN AN  
ARTIFICIAL LIMBRECEIVED  
CENTRAL FAX CENTER

MAY 04 2007

The owner, Otto Bock HealthCare LP of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory terms of prior patents, Nos. US 6726726 B2, US 6926742 B2 and US 6974484 B2, as the terms of said prior patents are defined in 35 U.S.C. 154 and 173, and as the terms of said prior patents are presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory terms as defined in 35 U.S.C. 154 and 173 of the prior patents, "as the terms of said prior patents are presently shortened by any terminal disclaimer," in the event that one or more of said prior patents later:

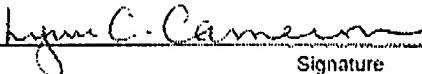
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1  For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2  The undersigned is an attorney of record. Reg. No. 44,581



Signature

May 4, 2007

Date

Lynn C. Cameron

Typed or printed name

612/763-8073

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA22313-1450.

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